

CHAPTER NO. 431

HOUSE BILL NO. 1466

By Representatives McDaniel, Kisber

Substituted for: Senate Bill No. 403

By Senator Cooper

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 2 relative to the taxable privilege of engaging in the business of providing nursing home care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-216(d), is amended by deleting subdivision (2) and substituting a new subdivision (2) as follows:

(2) Effective for two (2) years beginning July 1, 1999, in addition to the fees set forth in subsection (a), each nursing home shall pay an annual nursing home tax as set forth in this subsection. Such tax shall be paid in equal monthly installments of one-twelfth (1/12) of the annual amount established by this subsection. The installments are due on the fifteenth of each following month beginning August 15, 1999, for the July 1999 installment and ending with a final payment on July 15, 2001.

SECTION 2. Tennessee Code Annotated, Section 68-11-216(d), is further amended by deleting subdivision (3) and substituting a new subdivision (3) as follows:

(3) The annual nursing home tax shall be based on the number of nursing home beds licensed by the State of Tennessee on July 1, 1999, and on July 1, 2000, for the respective fiscal years following such date, excluding beds in nursing homes specifically certified as intermediate care beds for the mentally retarded. The tax shall be uniformly applied to all licensed beds at the rate of two thousand six hundred dollars (\$2,600.00) per licensed bed per year. Licensed facilities which are owned or operated by an agency of the State are not excluded from paying the tax. There shall be no exclusions, deductions or adjustments applied to the tax of any licensed facility different from any other such facility. Beds licensed after July 1, 1999 and July 1, 2000 shall pay a prorated amount of the annual tax for the respective fiscal year following such date.

SECTION 3. Tennessee Code Annotated, Section 68-11-216(d), is further amended by deleting the year "1997" from subdivision (10) and substituting the year "1999".

SECTION 4. Tennessee Code Annotated, Section 68-11-216(d), is further amended by deleting subdivision (12) in its entirety and replacing it with the following:

(12) The annual nursing home tax established by this subsection shall terminate on June 30, 2001.

SECTION 5. Tennessee Code Annotated, Section 68-11-830(d)(2)(B) is amended by deleting the date "July 15, 1999" and substituting the date "July 15, 2001"

and Tennessee Code Annotated, Section 68-11-830(d)(10) is amended by deleting the date "June 30, 1999" and substituting the date "June 30, 2001".

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall take effect July 1, 1999, the public welfare requiring it.

PASSED: May 28, 1999



JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 17th day of June 1999



DON SUNDQUIST, GOVERNOR